

REMARKS

Reconsideration of the above-identified application in view of the amendments to the claims and the following remarks is respectfully requested.

Claims 1-12 are pending and stand rejected. Claim 1, 6 and 11 are independent claims. Claims 1, 4, 5, 6, 10 and 11 have been amended. Claim 3, 8, and 9 has been cancelled.

Claims 1-2 and 6-7 stand rejected under 35 USC § 103(a) as being unpatentable over McCorkle et al. (US Pat. Appl. Pub. 2003/0054764) in view of Koch et al. (US Pat. Appl. Pub. 2004/0033075) and further in view of Suzuki et al. (US Pat. Appl. Pub 2002/004801). Similarly, claims 11-12 stand rejected under 35 USC §103(a) as being unpatentable over Koch et al. (US Pat. Appl. Pub. 2003/0054764) and further in view of Suzuki et al. (US Pat. Appl. Pub 2002/004801).

Applicant respectfully disagrees with and explicitly traverses the reason for the rejection. However, in the interest of advancing the prosecution of this matter, independent claims 1 and 6 have been amended to recite the operations of the control unit in further detail. No new matter has been added. Support for the amendments may be found in dependent claims 3 and 8 and 9, respectively.

Notwithstanding the amendments made to the claims, applicant submits that the aforementioned claims are not rendered unpatentable by the cited references as applicant believes that Office Action has mischaracterized the McCorkle reference and that the Suzuki reference is not an appropriate reference for showing that the access point lacks a UWB module.

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McCorkle discloses a UWB system comprising a radio controller (9) and a receiver 11 and transmitter 13 (which when integrated is referred to as a transceiver) (see Figure 1a). The controller provides data and commands to the transceiver to convert the received signals into UWB signals and transmit the converted UWB signals and receive UWB signals and convert the UWB signals to digital signals. Thus, the transceiver disclosed by McCorkle is comparable to the access point described in the written description and not the remote terminal as the Examiner states. McCorkle does not disclose the remote terminal that is claimed, as the transceiver is not in wireless communication with the controller. Hence, the Examiner has mischaracterized the teachings of McCorkle by claiming that that the transceiver is comparable to both the remote terminal and the access point of the instant invention.

Furthermore, McCorkle refers to an element in the transceiver (access point) that is explicitly claimed as not being in the access point

The Koch reference is referred to for teaching that an optical signal can be used to transmit data from the transceiver to the controller and provides no teaching that would enable one skilled in the art to remove the UWB module from the access point as is recited in the claims.

The Suzuki reference is referred-to for teaching that the access point does not include a UWB module. As discussed above, Suzuki teaches a central station 10 connected to access units 30, via an optical cable 20. The access units 30 are wirelessly connected to wireless LAN terminal 42 and access unit 42a. The access unit 42a is also in wireless communication with the remote terminal 43.

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Suzuki thus discloses a double wireless connection from a remote terminal to an access point that provides optical communication to a central station. Suzuki does not disclose a UWB conversion because Suzuki does not disclose UWB transmission and thus a UWB conversion unit is not necessary.

Although the subject matter of claims 3, 8 and 9 has been rejected in view of the primary references and further in view of Santhoff (USPPA 2006/0291536). However, Santhoff fails to disclose the structure corresponding to the UWB network comprised of the central device, the access point performing the function as the wireless base station and the remote terminal such as the mobile phone of the presently claimed invention.

A claimed invention is *prima facie* obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.

The combination of McCorkle, Koch and Suzuki (and Santhoff) fails to render the aforementioned claims obvious because

1. the transceiver of McCorkle is comparable to the access point of the instant invention and the transceiver specifically refers to the UWB module, the lack of which is a material element recited in the claims,
2. Suzuki does not disclose a UWB module because Suzuki, while operating in the general field of RF transmission, is not operating in the specialized UWB area of RF transmission, and

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3. if the teachings of Suzuki were combined with that of McCorkle, the combination would alter the principles of the McCorkle reference because the controller would include the UWB module, and this would be contrary to the encoding and then UWB conversion and transmission described by McCorkle.

For all of the above, applicant submits that the reason for the rejection of the claims has been overcome and respectfully requests that the rejection be withdrawn.

With regard to the dependent claims 2 and 7, these claims are also not rendered obvious by the cited references, because these claims depend from the independent claims and are thus allowable by virtue of their dependency upon an allowable basic claim.

Claims 11-12 stand rejected under 35 USC § 103(a) as being unpatentable over Koch et al. (US Pat. Appl. Pub. 2003/0054764) in view of McCorkle et al. (US Pat. Appl. Pub. 2003/0054764) and further in view of Suzuki et al. (US Pat. Appl. Pub. 2002/004801).

Applicant respectfully disagrees with and explicitly traverses the rejection of these claims. However, claim 11 has been amended to include the subject matter recited in claim 3.

Claim 11, as amended, recites subject matter similar to that recited in claim 1, and hence is not rendered obvious over the cited references for the same arguments presented in overcoming the rejection of claim 1. Hence, for the remarks made with regard to claim 1, which are repeated as if in full, in response to the rejection of claim 11, applicant submits that the reason for the rejection has been overcome. Applicant respectfully requests that the rejection be withdrawn.

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With regard to claim 12, this claim depends from claim 11 and, thus, is allowable by virtue of its dependency upon an allowable base claim.

Claims 3-5 and 8-10 stand rejected under 35 USC § 103(a) being unpatentable over McCorkle et al. (US Pat. Appl. Pub. 2003/0054764) in view of Koch et al. (US Pat. Appl. Pub. 2004/0033075), further in view of Suzuki et al. (US Pat. Appl. Pub. 2002/004801) and further in view of Santhoff et al (US Pat. Appl. Pub. 2006/0291536).

Applicant respectfully disagrees with and explicitly traverses the rejection of these claims. Claims 3, 8 and 9 have been cancelled. Hence, the rejection of these claims is no longer relevant. The remaining claims have been amended to depend from respective independent claims and are thus allowable by virtue of their dependency upon an allowable base claim.

Applicant would respectfully notes for the record that Santhoff, US Patent Appl. Pub. No. 2006/0291536 cited in the instant office action was filed on August 28, 2006 and is a continuation-in-part of previously filed patent applications. However, nowhere does the Office Action show that the referred-to subject matter in the Santhoff reference is afforded the earlier filing date of the previously filed parent patent application. Hence, as Santhoff was filed on August 28, 2006, any new subject matter not afforded the earlier filing date of the prior application post-dates the filing of the instant application which was filed on September 9, 2003 and claims priority to a Korean application filed May 20, 2003. Accordingly, the subject matter not afforded the earlier filing date is not valid prior art in the instant case.

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For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,



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